

Gilbert, David

From: Gilbert, David
Sent: Tuesday, May 11, 2004 12:54 PM
To: Schroll, Marci
Subject: 04-0351

Marci...Here are questions I'd want answered at hearing. Perhaps these can be discussed with petitioner & something can be filed, rendering a hearing unnecessary.

1.) The petition was filed by the "Joint Emergency Telephone System Board of the City of DP, City of PR, Vill. of MG & Vill. of Niles." However, the Verification and Narrative are on the letterhead of the "North Suburban Emergency Telephone System Board." The final page of the Narrative says that the "NSECC Joint Emergency Telephone System Board" will be the sole governing body." Thus, 3 distinct entities are identified. The Commission can only grant approval to a single, clearly-defined entity. Which one should that be?

2.) The inter-governmental agreements (Ex's 8 & 9) are signed on behalf of the NSECC. However, NSECC is not the petitioner. Moreover, in the opening paragraph of each agreement, the NSECC is not listed as a party to the agreement. Accordingly, it is not entirely clear that the party that will receive Commission approval - whoever that may be - is a party to, and has the rights and responsibilities of, these agreements.

3.) Presumably, the existing (pre-petition) emergency entities have approval from this Commission. Which entities are those? The Des Plaines-Park Ridge Emergency Comm. Center (see sample letter to neighbor agencies) may be one. The Emergency Telephone System Boards in Morton Grove & Niles (see Narrative, final page) may be others. Since this is a modification petition, the record should reflect what existing approval is being modified. Therefore, the previously authorized entities should be fully identified, and the docket numbers of the cases in which they received authority should be provided.

The proper petitioner can either clarify/amend all of the above at hearing, or can do so beforehand, perhaps obviating the need for hearing.

David Gilbert, ALJ

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I.C.C. DOCKET NO. 04-0351

ALJ Exhibit No. 1

Witness _____

Date 5-20-04 Reporter AR